

**DECISION  
AND  
FINDING OF NO SIGNIFICANT IMPACT**

**RECEIVED  
JUL 19 2004**

**CANADA GOOSE DAMAGE MANAGEMENT IN  
THE STATE OF CONNECTICUT**

**NEPA**

The U.S. Department of Agriculture, Animal and Plant Health Inspection Service (USDA APHIS), Wildlife Services (WS) program responds to requests for assistance from individuals, organizations and agencies experiencing damage caused by wildlife. Ordinarily, according to APHIS procedures implementing the National Environmental Policy Act (NEPA), individual wildlife damage management actions may be categorically excluded (7 CFR 372.5(c), 60 Fed. Reg. 6000-6003, 1995). To evaluate and determine if any potentially significant impacts to the human environment from WS' planned and proposed program would occur, an environmental assessment (EA) was prepared. The EA documents the need for Canada goose damage management in Connecticut and assessed potential impacts of various alternatives for responding to damage problems. The EA analyzes the potential environmental and social effects for resolving Canada goose damage related to the protection of resources, and health and safety on private and public lands in Connecticut. WS' proposed action is to implement an Integrated Wildlife Damage Management (IWDM) program on public and private lands in Connecticut. Comments from the public involvement process were reviewed for substantive issues and alternatives which were considered in developing this decision.

WS is the Federal program authorized by law to reduce damage caused by wildlife (Act of 1931, as amended (46 Stat. 1486; 7 U.S.C. 426-426c) and the Rural Development, Agriculture, and Related Agencies Appropriations Act of 1988, Public Law 100-102, Dec. 27, 1987. Stat. 1329-1331 (7 U.S.C. 426c), and the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 2001, Public Law 106-387, October 28, 2000. Stat. 1549 (Sec 767). Wildlife damage management is the alleviation of damage or other problems caused by or related to the presence of wildlife, and is recognized as an integral part of wildlife management (The Wildlife Society 1992). WS uses an IWDM approach, commonly known as Integrated Pest Management (WS Directive 2.105) in which a combination of methods may be used or recommended to reduce damage. WS wildlife damage management is not based on punishing offending animals but as one means of reducing damage and is used as part of the WS Decision Model (Slate et al. 1992, USDA 1997, WS Directive 2.201). The imminent threat of damage or loss of resources is often deemed sufficient for wildlife damage management actions to be initiated (U.S. District Court of Utah 1993). Resource management agencies, organizations, associations, groups, and individuals have requested WS to conduct Canada goose damage management to protect resources and human health and safety in Connecticut. All WS wildlife damage management activities are in compliance with relevant laws, regulations, policies, orders and procedures, including the Endangered Species Act of 1973.

**Consistency**

The analyses in the EA demonstrate that Alternative 1: 1) best addresses the issues identified in the EA, 2) provides safeguards for public health and safety, 3) provides WS the best opportunity to reduce damage while providing low impacts on non-target species, 4) balances the economic

effects to agricultural and natural resources, and property, and 5) allows WS to meet its obligations to government agencies or other entities.

### **Monitoring**

The Connecticut WS program will annually provide to the U.S. Fish and Wildlife Service (USFWS) and the Connecticut Department of Environmental Protection (CT DEP) WS lethal take of target and non-target animals to help ensure the total statewide take (WS and other take) does not impact the viability of target and non target wildlife species. In addition, the EA will be reviewed each year to ensure that it and the analysis are sufficient.

### **Public Involvement**

The pre-decisional EA was prepared and released to the public for a 30-day comment period by a legal notice in the *Hartford Courant* on April 7, 8, and 9, 2004. A letter of availability for the pre-decisional EA was also mailed directly to agencies, organizations, and individuals with probable interest in the proposed program. One comment document was received from the public after review of the pre-decisional EA. All comments were analyzed to identify substantial new issues, alternatives, or to re-direct the program. Responses to specific comments are included in Appendix A. All letters are maintained in the administrative file located at the Wildlife Services State Office, 463 West St., Amherst, MA 01002.

### **Major Issues**

The EA describes the alternatives considered and evaluated using the identified issues. The following issues were identified as important to the scope of the analysis (40 CFR 1508.25).

- Effects on Target Canada Goose Populations
- Effectiveness of Canada Goose Damage Management
- Effects on Aesthetic Values
- Humaneness and Animal Welfare Concerns of Methods Used by WS
- Effects on Non-target Wildlife Species Populations, Including T&E Species

### **Affected Environment**

The proposed action may affect private and public lands in Connecticut including, but not necessarily limited to property on or adjacent to airports, golf courses, athletic fields, recreational areas, swimming beaches, parks, corporate complexes, subdivisions, businesses, industrial parks, schools, agricultural areas, wetlands, restoration sites, and cemeteries.

### **Alternatives That Were Fully Evaluated**

The following four alternatives were developed to respond to the issues. Two additional alternatives were considered but not analyzed in detail. A detailed discussion of the effects of the alternatives on the issues is described in the EA; below is a summary of the alternatives.

#### **Alternative 1: Integrated Wildlife Damage Management (Proposed Action/No Action)**

The proposed action is for WS to continue to implement an Integrated Canada Goose Damage Management Program that responds to requests for the protection of property, agricultural resources, natural resources, human health, and human safety in Connecticut. Requests for assistance may occur anywhere and anytime throughout the state. The program would include

the use of legal techniques and methods, used singly or in combination, to meet requestor needs for reducing conflicts with Canada geese. Cooperators requesting assistance would be provided with information regarding the use of effective non-lethal and lethal techniques. Non-lethal methods recommended or used by WS may include resource management, physical exclusion, relocation, and deterrents. Lethal methods recommended or used by WS may include nest/egg destruction, live capture and transportation to a licensed poultry processing facility, live capture and euthanasia, and/or shooting. In many situations, the implementation of non-lethal methods such as manipulation of habitat, application of repellents, and installation of fencing, flagging, and exclusion devices would be conducted by the requestor. Wildlife damage management assistance regarding Canada geese would be conducted by WS in Connecticut, when requested, on private and public property and facilities where a need exists and pursuant to an Agreement for Control.

The proposed program would be conducted pursuant to applicable laws and regulations authorizing take of Canada geese and their nest and eggs, developed through partnerships among WS, the USFWS, and the CT DEP, and as requested by and through coordination with requestors of assistance. All management actions would comply with applicable federal, state, and local laws.

#### **Alternative 2: Technical Assistance Only by WS**

This alternative would not allow for WS operational Canada goose damage management in Connecticut. WS would only provide technical assistance and make recommendations when requested. Producers, property owners, agency personnel, or others could conduct Canada goose damage management using any legal lethal or non-lethal method available to them. If registered for use in Connecticut, Alpha-Chloralose would only be available for use by WS employees and therefore would not be available for private use. Appendix B of the EA describes a number of methods that could be employed by private individuals or other agencies after receiving technical assistance advice under this alternative.

#### **Alternative 3: Non-lethal Only by WS**

This alternative would require WS to use or recommend non-lethal methods only to resolve Canada goose damage problems. Persons receiving technical assistance could still employ lethal methods that were available to them. Information on lethal methods would still be available to producers and property owners through such sources as CT DEP, USDA Agricultural Extension Service offices, USFWS, universities, or pest control organizations. Appendix B of the EA describes a number of non-lethal methods available for use by WS under this alternative.

#### **Alternative 4: No Federal WS Canada Goose Damage Management**

This alternative would eliminate WS involvement in Canada goose damage management in Connecticut. WS would not provide direct operational or technical assistance and requestors of WS services would conduct damage management activities without WS input. Information on Canada goose damage management methods may be available to producers and property owners through other sources such as the CT DEP, USDA Agricultural Extension Service offices, USFWS, universities, or pest control organizations. If registered for use in Connecticut, Alpha-Chloralose would only be available for use by WS employees and therefore would not be available for private use.

## **Alternative Considered but not Analyzed in Detail:**

### **Non-lethal Methods Implemented Before Lethal Methods**

This alternative is similar to Alternative 1 except that WS personnel would be required to always recommend or use non-lethal methods prior to recommending or using lethal methods to reduce Canada goose damage. Both technical assistance and direct damage management would be provided in the context of a modified IWDM approach. Alternative 1, the Proposed Action, recognizes non-lethal methods as an important dimension of IWDM, gives them first consideration in the formulation of each management strategy, and recommends or uses them when practical before recommending or using lethal methods. However, the important distinction between the Non-lethal Methods First Alternative and the Proposed Alternative is that the former alternative would require that all non-lethal methods be used before any lethal methods are recommended or used.

While the humaneness of the non-lethal management methods under this alternative would be comparable to the Proposed Program Alternative 1, the extra harassment caused by the required use of methods that may be ineffective could be considered less humane. As local Canada goose population increase, the number of areas negatively affected by geese would increase, and greater numbers of geese would be expected to congregate at sites where non-lethal management efforts were not effective. This may ultimately result in a greater numbers of geese being killed to achieve the local Wildlife Acceptance Capacity (WAC) than if lethal management were immediately implemented at problem locations (Manuwal 1989). Once lethal measures were implemented, Canada goose damage would be expected to drop relative to the reduction in localized population of Canada geese causing damage.

Since in many situations this alternative would result in greater numbers of geese being killed to achieve the local WAC, at a greater cost to the requester, and result in a delay in reaching the local WAC in comparison to the Proposed Alternative, the Non-lethal Methods Implemented Before Lethal Methods Alternative is removed from further discussion in this document.

### **Lethal Damage Management Only By WS**

Under this alternative, WS would not conduct any non-lethal control of Canada geese for damage management purposes in the State, but would only conduct lethal control. This alternative was eliminated from further analysis because some goose damage problems can be resolved effectively through non-lethal means. Additionally, lethal methods may not always be available for use due to safety concerns or local ordinances prohibiting the use of some lethal methods, such as the discharge of firearms. For example, damage situations such as flocks of geese on/near runways could not be removed immediately by lethal means, while scaring them away through various harassment devices might resolve the threat to passenger safety at once.

### **Finding of No Significant Impact**

The analysis in the EA indicates that there will not be a significant impact, individually or cumulatively, on the quality of the human environment as a result of this proposed action. I agree with this conclusion and therefore find that an EIS need not be prepared. This determination is based on the following factors:

1. Canada goose damage management as conducted by WS in Connecticut is not regional or national in scope.
2. The proposed action would pose minimal risk to public health and safety. Risks to the public from WS methods were determined to be low in a formal risk assessment (USDA 1997, Appendix P).
3. There are no unique characteristics such as park lands, prime farm lands, wetlands, wild and scenic areas, or ecologically critical areas that would be significantly affected. Built-in mitigation measures that are part of WS's standard operating procedures and adherence to laws and regulations will further ensure that WS activities do not harm the environment.
4. The effects on the quality of the human environment are not highly controversial. Although there is some opposition to wildlife damage management, this action is not highly controversial in terms of size, nature, or effect.
5. Based on the analysis documented in the EA and the accompanying administrative file, the effects of the proposed damage management program on the human environment would not be significant. The effects of the proposed activities are not highly uncertain and do not involve unique or unknown risks.
6. The proposed action would not establish a precedent for any future action with significant effects.
7. No significant cumulative effects were identified through this assessment. The number of Canada geese killed by WS, when added to the total known other take of these species, would fall within population management objectives supported by the CT DEP and the USFWS. The EA discussed cumulative effects of WS on target and non-target species populations and concluded that such impacts were not significant for this or other anticipated actions to be implemented or planned within the State.
8. The proposed activities would not affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, nor would they likely cause any loss or destruction of significant scientific, cultural, or historical resources.
9. WS has determined that the proposed program would have no effect on any federally listed T&E species or critical habitat. In addition WS has determined that the proposed program will not adversely affect any Connecticut state listed threatened or endangered species, species of concern, and species of special interest.
10. The proposed action would be in compliance with all federal, state, and local laws.

#### **Decision and Rationale**

I have carefully reviewed the EA prepared for this proposal and the input from the public involvement process. I believe that the issues identified in the EA are best addressed by

selecting Alternative 1 - Integrated Wildlife Damage Management Program (Proposed Action/No Action) and applying the associated mitigation measures discussed in Chapter 3 of the EA. Alternative 1 is selected because (1) it offers the greatest chance at maximizing effectiveness and benefits to resource owners and managers while minimizing cumulative impacts on the quality of the human environment that might result from the program's effect on target and non-target species populations; (2) it presents the greatest chance of maximizing net benefits while minimizing adverse impacts to public health and safety; and, (3) it offers a balanced approach to the issues of humaneness and aesthetics when all facets of these issues are considered. The comments identified from public involvement were minor and did not change the analysis. Therefore, it is my decision to implement the proposed action as described in the EA.

Copies of the EA are available upon request from the Wildlife Services State Office, 463 West St., Amherst, MA 01002.



Charles S. Brown, Regional Director  
APHIS-WS Eastern Region

7/15/04

Date

**Literature Cited:**

- Manuwal, D. 1989. Nuisance waterfowl at public waterfront parks in Seattle metropolitan area. Final Rpt. To Interlocal Waterfowl Manage. Comm. College of Forest Resour., Univ. WA Seattle, WA. 48 pp.
- Slate, D. A., R. Owens, Connolly, G., and G. Simmons. 1992. Decision making for wildlife damage management. Trans. North Am. Wildl. Nat. Res. Conf. 57:51-62.
- The Wildlife Society. 1992. Conservation policies of The Wildlife Society: A stand on issues important to wildlife conservation. The Wildlife Society, Bethesda, Md. 24pp.
- USDA, Animal and Plant Health Inspection Service, Animal Damage Control. 1997 (revised). Animal Damage Control Program. Final Environmental Impact Statement. USDA, APHIS, ADC Operational Support Staff, 4700 River Road, Unit 87, Riverdale, MD 20737.
- U.S. District Court of Utah. 1993. Civil No. 92-C-0052A, January 1993.

**APPENDIX A**  
**RESPONSE TO PUBLIC COMMENTS**  
**RECEIVED ON PRE-DECISIONAL ENVIRONMENTAL ASSESSMENT**

**Issue 1: Scope of the EA is too broad.**

*Program Response 1:* This issue is addressed in Sections 1.7.4 and 2.4.1 of the EA.

**Issue 2: What means or methods will WS use to determine whether Canada geese are impacting a specific resource and that the course of action taken will reduce impacts to acceptable levels? How does WS plan to monitor the effectiveness of control actions on affected resources?**

*Program Response 2:* As described in Section 3.2.2 of the EA, WS uses a decision model which involves evaluating each request for assistance, taking action, and evaluating and monitoring results of the actions taken. This decision model will be used when WS receives a request for assistance.

**Issue 3: WS should not take action based upon perceived risks to human health or safety or threats of damage to resources.**

*Program Response 3:* WS has the legal direction to respond to requests for assistance, and it is program policy to aid each requester to minimize losses. The USDA is directed by law to protect American agriculture and other resources from damage associated with wildlife. The primary statutory authority for the Wildlife Services program is the Act of 1931 (7 U.S.C. 426-426c; 46 Stat. 1468), as amended in the Rural Development, Agriculture, Related Agencies Appropriations Act of 1988, Public Law 100-102, Dec. 27, 1987. Stat. 1329-1331 (7 U.S.C. 426c), and the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 2001, Public Law 106-387, October 28, 2000. Stat. 1549 (Sec 767), which provides that:

*"The Secretary of Agriculture may conduct a program of wildlife services with respect to injurious animal species and take any action the Secretary considers necessary in conducting the program. The Secretary shall administer the program in a manner consistent with all of the wildlife services authorities in effect on the day before the date of the enactment of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001."*

Since 1931, with the changes in societal values, WS policies and its programs place greater emphasis on the part of the Act discussing "bringing (damage) under control", rather than "eradication" and "suppression" of wildlife populations. In 1988, Congress strengthened the legislative directive and authority of WS with the Rural Development, Agriculture, and Related Agencies Appropriations Act.



In the Southern Utah Wilderness Alliance, et al. vs. Hugh Thompson, Forest Supervisor for the Dixie National Forest, et al., the United States District Court of Utah denied plaintiffs' motion for preliminary injunction. In part, the court found that a forest supervisor need only show imminent threat of damage is probable to establish a need for wildlife damage management (U.S. District Court of Utah 1993).

**Issue 4: To fully comply with NEPA, an Environmental Impact Statement (EIS) should be completed for the proposed Canada goose damage management program in Connecticut.**

*Program Response 4:* WS follows all applicable laws, regulations, and guidelines in analyzing potential impacts of their actions, including those established by NEPA. In making an informed decision of potential environmental impacts, WS uses the best available scientific information, data and expert advice. Within the EA, Appendix A provides a list of documents that are used and referenced throughout the EA for analyzing potential impacts of the proposed program; Chapter 5 provides a list of the persons consulted in the development of the EA; and potential impacts are systematically analyzed in Chapter 4. Each issue is fully explained and analyzed against each alternative to allow the reader an objective way to evaluate potential outcomes of each alternative. By conducting such a systematic and objective analysis, and using the best available scientific information, data and expert advice, WS is able to make an informed decision as required by NEPA.

WS has determined that the analysis in the EA showed no significant impact on the quality of the human environment. The EA took a hard look at the need for action, the issues, alternatives, and environmental consequences, and resulted in a FONSI that discussed, under each of the ten Council for Environmental Quality (CEQ) points of significance, why each was not significant. WS carefully considered all comments from respondents to the public involvement efforts. The agency followed CEQ NEPA regulations, and Agency NEPA implementing procedures. Thus, the EA resulted in a FONSI that specified why an EIS was not required.

**Issue 5: The EA does not analyze an alternative that would require, in each damage situation, that all feasible non-lethal methods be exhausted before using lethal control.**

*Program Response 5:* This alternative is similar to the proposed action described in Section 3.3.1 of the EA. As described in the proposed action, when determining the damage management strategy, preference would be given to practical and effective non-lethal methods. However, non-lethal methods may not always be applied as a first response to each damage problem. The most appropriate response could often be a combination of non-lethal and lethal methods, or could include instances where application of lethal methods alone would be the most appropriate strategy.

**Issue 6: Lethal methods are cruel and inhumane.**

*Program Response 6:* The issue of humaneness is addressed in the EA in Sections 2.3.4 and 4.1.4. The definition of humaneness varies among people and cultures. Common knowledge about the various animal rights and humane groups is their prejudice towards their definition of animal humaneness which may vary from a producer and consumer's point of view. Connecticut

Wildlife Specialists take every measure to be as humane as possible while still providing an effective and efficient damage control program.

The WS program is concerned about animal welfare and continuously evaluates existing and new methods because of our concern for animals. While it is regrettable that wild animals die to alleviate some damage, we believe that if an animal death must occur, then it should occur with a minimum amount of distress and pain, in as short period of time as practical, and with compassion.